

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

Centrak, Inc.

Plaintiff,

v.

Sonitor Technologies, Inc.

Defendant.

Civil Action No. \_\_\_\_\_

JURY TRIAL DEMANDED

**COMPLAINT FOR PATENT INFRINGEMENT,  
DECLARATORY AND INJUNCTIVE RELIEF**

Centrak, Inc. (“Plaintiff” or “Centrak”) demands a jury trial and complains against Sonitor Technologies, Inc. (“Sonitor” or “Defendant”) as follows:

**THE PARTIES**

1. Plaintiff Centrak is a corporation organized under the laws of the State of Delaware, and having a place of business at 125 Pheasant Run, Newtown, PA 18940.

2. Upon information and belief, Defendant Sonitor is a corporation organized under the laws of the State of Delaware, having its U.S. corporate headquarters at 11921 Freedom Drive, Suite 550, Reston, VA 20190, and is currently in the process of relocation to Stamford Connecticut.

3. Upon information and belief, Defendant Sonitor is a subsidiary of Sonitor Technologies AS, a corporation based in Oslo, Norway, at Forskningsveien 1B, Oslo, Norway, Postcode 0373.

4. Plaintiff Centrak and Defendant Sonitor are direct competitors in manufacturing and sales of the Real Time Locating Systems (“RTLS”) for locating and tracking of various assets, equipment, tagged items and other things or persons through the efficient use of wireless (WiFi) networks and use of precise ultrasound positioning.

5. Among other things, both Plaintiff Centrak and Defendant Sonitor offer competing RTLS systems and wireless positioning and location tags for use with WiFi and RTLS systems.

6. Both Plaintiff Centrak and Defendant Sonitor have competed for the same contract with at least one third party in connection with the sale and delivery of the positioning and location tags and RTLS systems and/or components thereof, for the use by the third party and/or its customers.

### **JURISDICTION AND VENUE**

7. This action arises under the patent laws of the United States of America, Title 35 of the United States Code. This Court has subject matter jurisdiction of this action under 28 U.S.C. §§ 1331 and 1338(a) and supplemental jurisdiction under 28 U.S.C. § 1367.

8. Defendant Sonitor is incorporated in this District and has done business in this District and has committed acts of infringement in this District. Such acts include soliciting, advertising (including through websites), making, using, marketing, testing, selling, offering to sell and/or importing infringing products, either directly or through intermediaries and agents, within this District.

9. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(c) and 1400(b).

10. Defendant Sonitor is subject to personal jurisdiction in this District by the virtue

of the fact that Defendant is incorporated in the State of Delaware and has committed acts of infringement in this District by making, using, advertising, marketing, testing, selling, offering to sell and/or importing infringing products within this District, either directly and/or through intermediaries, including without limitation by offering its infringing products through its Website at [www.sonitor.com](http://www.sonitor.com).

11. The amount in controversy and damages that Plaintiff is seeking from Defendant exceeds seventy five thousand (\$75,000) U.S. dollars, exclusive of interest.

### **PATENTS AND INFRINGING PRODUCTS**

12. United States Patent No. 8,604,909 (the “Centrak ‘909 Patent”), entitled “Methods and Systems for Synchronized Ultrasonic Real Time Location” was duly and legally issued by the United States Patent and Trademark Office on December 10, 2013 upon the Application No. 12/986,519. A copy of the Centrak ‘909 Patent is attached hereto as Exhibit A.

13. Centrak, is the owner by assignment of all right, title and interest in the Centrak ‘909 Patent, including the right to sue for past, present and future infringement.

14. The Centrak ‘909 Patent pertains to a Real Time Location System (RTLS) for locating and identifying portable devices, tagged items or persons in an enclosure.

15. The Centrak ‘909 Patent describes and claims a RTLS and components of a RTLS that utilize both radio frequency (RF) transmissions, more precise ultrasound base stations and multiple portable devices, where the base stations are configured to receive the timing synchronization information and to transmit a corresponding location code in a time period based on the timing synchronization information. The portable devices in such RTLS receive the timing synchronization information and detect the location codes from the ultrasonic base stations and/or transmit output signals to base stations.

16. Among other benefits described in the Centrak '909 patent, synchronizing the portable devices to detect the location code and/or synchronizing the transmissions from the portable devices significantly increases and improves battery life of the portable devices and improves overall operation of a RTLS.

17. This feature is an important aspect of and an improvement over the existing RTLS.

18. Both Plaintiff Centrak and Defendant Sonitor offer such competing improved RTLS and components thereof to their customers and potential customers.

**COUNT ONE – PATENT INFRINGEMENT**  
**OF THE CENTRAK '909 PATENT**

19. Plaintiff Centrak repeats and incorporates herein the entirety of the allegations contained in the above paragraphs.

20. Defendant Sonitor has been and is engaged in the manufacture, use, offer for sale, sale, testing, and/or importation into the United States of the Sonitor Sense™ RTLS, which combines ultrasound and Wi-Fi technologies into a system that uses Sonitor Sense™ Location Transmitters, Sonitor Tag IDs, and other of Sonitor's components and proprietary technology as an integrated solution and/or as components offered by Sonitor (jointly referred to as "Infringing Products").

21. Defender Sonitor promotes and markets its Sonitor Sense™ RTLS and other Infringing Products as "revolutionary" due to the "increased usability, long battery life and decreased Total-Cost-Of- Ownership." See <http://www.sonitor.com/products-sonitor-sense.html>.

22. Defendant Sonitor has been and still is directly infringing claims of the Centrak '909 Patent, including without limitation claims 26 and 1, by, among other things,

manufacturing, using, advertising, marketing, testing, selling, offering to sell and importing, either directly or through other entities, the Infringing Products, including but not limited to products marketed under the name Sonitor Sense™ RTLS, Sonitor Sense™ Location Transmitters and Sonitor Tag IDs for use with Sonitor Sense™ RTLS in the United States of America and the State of Delaware by employing the inventions of the Centrak '909 Patent within the meaning of 35 U.S.C. § 271(a).

23. Among other things, Defendant Sonitor operates an English-language ecommerce and support website at [www.sonitor.com](http://www.sonitor.com). Through its website and other distribution and marketing on-line channels, Defendant Sonitor markets and offers to sell the Infringing Products, including without limitation the Sonitor Sense™ RTLS, Sonitor Sense™ Location Transmitters and/or Sonitor Tag IDs.

24. As a direct and proximate result of Sonitor's infringement, Plaintiff Centrak has suffered, and will continue to suffer, serious irreparable injury unless such infringing activities are enjoined by this Court.

25. In addition, or in the alternative, Centrak is entitled to recover from Defendant Sonitor the damages adequate to compensate it for Sonitor's infringement, but, in no event, less than a reasonable royalty, in an amount to be proven at trial.

26. Upon information and belief, as a direct and proximate result of Defendant Sonitor's infringing conduct, it has realized and continues to realize profits and other benefits rightfully belonging to Plaintiff Centrak and causing Centrak immediate irreparable harm.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Centrak prays for judgment against Defendant Sonitor and asks for the following relief:

A. Declaration that Defendant Sonitor has infringed and is infringing the Centrak '909 Patent, including, but not limited to, claims 26 and 1;

B. Declaration that the Centrak '909 Patent, including but not limited to claims 26 and 1, is valid and enforceable;

C. An accounting for damages under 35 U.S.C. §284 from Defendant Sonitor for the infringement of the Centrak '909 Patent, and the award of damages ascertained against Defendant Sonitor in favor of Centrak, together with interest, as provided by law;

D. A preliminary and permanent injunction against Defendant Sonitor, including each of its officers, agents, servants, employees, and attorneys, all parent, subsidiary and affiliated entities, their assigns and successors in interest, and those persons acting in active concert or participation with them, including distributors and customers, directing them as follows:

(i) barring all manufacturing, use, testing, sales, offering for sale and importation into the United States of Sonitor's Infringing Products;

(ii) barring all promotional, marketing and advertisement activities that constitute either direct or indirect infringement of the Centrak '909 Patent; and

(iii) impounding Defendant Sonitor's products that infringe the Centrak '909 Patent;

E. Awarding Centrak its actual damages in the form of lost profits and/or reasonable royalties, and Defendant Sonitor's profits and other benefits related to the infringement of the Centrak '909 Patent, in an amount to be determined at trial.

F. Awarding Centrak its costs and expenses, including reasonable attorney fees and legal costs; and

G. Such other and further relief as this Court may deem proper, just and equitable.

**DEMAND FOR JURY TRIAL**

Plaintiff Centrak demands a trial by jury of all issues properly triable by jury in this action.

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